

1
2
3
4
5
6
7
8
9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

12
13 CHASOM BROWN, *et al.*,
14 Plaintiffs,
15 v.
16 GOOGLE LLC,
17 Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**[PROPOSED] ORDER APPOINTING
COMMISSIONERS TO TAKE
EVIDENCE PURSUANT TO CHAPTER
II, ARTICLE 17 OF THE HAGUE
CONVENTION OF 18 MARCH 1970 ON
THE TAKING OF EVIDENCE ABROAD
IN CIVIL OR COMMERCIAL MATTERS**

Referral: Hon. Susan van Keulen, USMJ

[PROPOSED] ORDER

The Court, having reviewed the Joint Motion for Appointment of Commissioners to Take Evidence Pursuant to Chapter II, Article 17 of the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters (ECF No. ____), and supporting papers submitted by Plaintiffs and Defendant, Google LLC (“Google”)

HEREBY ORDERS THAT:

(a) The Joint Motion (ECF No. ____) is GRANTED;

(b) Pursuant to Article 17 of the Hague Convention, Remo Decurtins (the “Swiss Commissioner”), James Lee, and Jomaire Crawford (together, the “Commissioners”) are duly appointed, pending the approval of the Swiss Federal Office of Justice (“FOJ”), as commissioners to take evidence in the above-captioned action, specifically in connection with the deposition of Sabine Borsay;

(c) This signed Order will be given to the counsel for the parties and the Swiss Commissioner who is directed to file it together with the necessary application for authorization from the relevant Swiss authorities within five (5) business days of the date of this order;

(d) Neither this Order, nor the terms of the Court’s Request (which is incorporated into this Order) shall restrict the scope of discovery otherwise permissible under the Federal Rules of Civil Procedure.

(e) Neither this Order, nor the terms of the Court’s Request (which is incorporated into this Order) shall constitute or operate as a waiver of the attorney-client privilege, the work product doctrine, or any other privileges, rights, or protections that may apply to evidence under the laws of Switzerland or the United States.

1 **SO ORDERED.**

2
3 DATED: _____

4 HON. SUSAN VAN KEULEN
5 United States Magistrate Judge
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28